

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**Virgie Patricia Shepherd,**

Plaintiff;

v.

**Churchill Downs, Inc. and SW Gaming,  
LLC d/b/a Harlow's Casino Resort and  
Spa,**

Defendants.

Civil Action No.

4:16-cv-00171-NBB-JMV

**Order Granting Motion to Seal**

This case is before the Court on Defendant SW Gaming LLC d/b/a Harlow's Casino Resort & Spa's Motion to Seal [50]. The Motion asks the Court to seal *Exhibit 9* to Harlow's Motion to Strike [48]. Plaintiff has indicated to the court that it has no opposition to the instant motion.

Local Rule 79(b) specifies that "any order sealing a document must include particularized findings demonstrating that sealing is supported by clear and compelling reasons and is narrowly tailored to serve those reasons." L.U. Civ. R. 79(b). To determine whether to allow the sealing of a requested document, "the court must balance the public's common law right of access against the interests favoring nondisclosure." *SEC v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993). Upon weighing the competing interests, the undersigned finds that the Defendant has provided clear and compelling reasons for filing *Exhibit 9* under seal.

Defendants have advised the court that *Exhibit 9* contains expert reports and materials attached to Plaintiff Virgie Shepherd's 6/28/17 expert designation. *Exhibit 9* includes de-

tails of medical records, finances, and other sensitive information regarding the Plaintiff. Accordingly, the sealing of *Exhibit 9* is supported by clear and compelling reasons and is narrowly tailored to serve those reasons.

After considering the matter, the Court finds for the reasons detailed above that Defendant's Motion to Seal is well-taken and is, therefore **GRANTED** pursuant to L.U. Civ. R. 79.

ACCORDINGLY, the District Court Clerk's Office is hereby **ORDERED** to receive for filing the exhibit identified herein, attaching the same as *Exhibit 9* to Defendant's Motion [48], and sealing said Exhibit. It is further ordered that *Exhibit 9* shall remain under seal until further order of this Court.

So **ORDERED** this 5th day of July, 2017.

/s/ Jane M. Virden

MAGISTRATE JUDGE JANE VIRDEN

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